

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-10 and 17-23. Claims 1, 17, 19 and 21-23 are amended herein, and new claim 24 is added. No new matter is presented. Thus, claims 1-10 and 17-24 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1-10 and 17-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application 2002/0002502 (Maes) and U.S. Patent Publication No. 2003/0061211 (Shultz).

In the outstanding Office Action, the Examiner asserts that FIG. 3 of Maes shows a state in which a random sampling is displayed to a user who is going to purchase a car (see, paragraph 113) but after a user selects one or more products, button 284 identifies a new set of product choices that contain similar traits disposed at close positions (see also, Fig. 4). According to Maes, after the article pictures shown in FIG. 3 are displayed, the user clicks on the new selection initiation button 284, whereby the new selections of products 285 are displayed in accordance with the user's selection. However, according to Maes, in order to display article pictures having similar features to each other, a click operation for a narrowing search is required. In other words, in Maes, the arrangement of a plurality of article pictures to be displayed as one search result is not related to the similarity of these article pictures.

On page 9 of the Office Action, the Examiner states that FIGS. 3 and 4 of Maes disclose "generating article picture arrangement data in which article pictures similar to each other in the features are disposed at close positions, as search results of the article data." In particular, the Examiner states that, in Maes, when the user clicks on the new selection initiation button 284, as shown in FIG. 4, the new selections of products 285 contain similar traits and are disposed at close positions, as search results of the article data.

On the other hand, on page 4, lines 1-2 of the Office Action, the Examiner indicates that Maes does not expressly disclose that, upon receiving an article search by a user, the more similar the results are in the features, the more closely the results are disposed. Clarification of these conflicting statements is respectfully requested.

The Examiner further relies on Shultz as teaching closely displaying similar results. However, Shultz is directed to geographic information system (GIS) based search engine that

subsequently sorts matching information according to user preference and/or a predefined search result sorting routine (see, paragraphs 18 and 60). Shultz, at paragraphs 61 and 62 respectively explicitly states:

"Method 200 may further include arranging the sorted information for display to the user. Such arrangement of information may include defining an area of a map for display, and/or highlighting one or more entities identified in the search results on the displayed map (step 242)..."

(paragraph 61 of Shultz)

"... For example, if the user query included steak houses near a desired map location, and one or more matching records of the search result did not fall within the currently displayed user map region, the area of displayed map may be updated (automatically or upon user selection) to accommodate the returned result within the displayed map region (step 242)."'

(paragraph 62 of Shultz)

As can be seen from the above discussion, these descriptions of Shultz are not related to article pictures. Instead, the search results in Shultz are information on an entity such as a store such that an icon showing each entity is displayed at a fixed position (address of the corresponding entity) on a map. That is, Shultz is limited to sorting results based on closest proximity to location data (geographic information) and at best describes a one-dimensional sorting based on a standard that is not related to the similarity of article pictures as search results.

The Examiner further indicates that Shultz, at paragraph 60, describes "displaying an article picture with a higher data sending rank earlier at the arrangement position." However, Shultz does not teach or suggest the claimed display order of article pictures as search results, instead Shultz is limited to an interface displaying search results on a map.

In contrast, the present invention sends the article picture arrangement data and the search resultant article pictures, which are independent of one another, to a user terminal separately. For example, an article provider may display a desired article picture on a screen of a user terminal earlier by setting a data sending rank. On the other hand, article pictures similar to each other may be disposed more closely, irrespective of the sending order of pictures.

Independent claim 1, by way of example, recites, "generating article picture arrangement data of all search resultant article pictures in which the more similar the search resultant article pictures are to each other, the more closely the search resultant article pictures are disposed on

a two-dimensional plane.” Claim 1 further recites, “sending the article picture arrangement data”, “sending the search resultant article pictures in accordance with the data sending rank” and “displaying each of the search resultant article picture at each arrangement position in accordance with the article picture arrangement data in a receiving order.” As such, the claimed invention displays “an article picture with a higher data sending rank earlier at the arrangement position.” Claims 17 and 19 recite similar features.

Independent claim 21 recites, “generating article picture arrangement data of all search resultant article pictures in which search resultant article pictures of articles with features similar to each other are disposed at close positions on a two-dimensional plane” and “successively displaying each search resultant article picture in accordance with the data sending rank.” Claim 21 further recites that “a search resultant article picture with a higher data sending rank is displayed earlier than [one] with a lower data sending rank and the search resultant article pictures similar to each other are disposed in closest proximity to each other.”

Independent claim 22 recites, “displaying search resultant article images of the article search results on a two-dimensional plane in accordance with the ranking so that search resultant article images corresponding to articles with similar features are positioned to be in adjacent positions among the displayed search resultant article images.”

Similarly, claim 23 recites, “positioning search resultant images corresponding to articles having similar features in close proximity” and providing the search resultant articles “as a search result on a two-dimensional plane”, where “the articles having similar features are displayed as a unified group based on said sorting.”

Maes and Shultz, alone or in combination, do not teach or suggest the above claimed features of the independent claims.

It is submitted that the independent claims are patentable over Maes and Shultz.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over Maes and Shultz. The dependent claims are also independently patentable. For example, claim 4 recites, “wherein a service user previously selects items to be considered in purchasing an article and notifies a service provider of the selection” and “the service provider determines the data sending rank in accordance with the notified items” (see also, claim 8). Maes and Shultz, alone or in combination, do not teach or suggest features of these dependent claims.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 24 has been added to recite, "assigning display positions to article images based on similarity of articles shown in said article images and inputs of the providers." Claim 24 further recites, "displaying the article images responsive to a search request in accordance with said display positions assigned prior to the search request", where "articles having similar features are positioned in adjacent positions and said display positions are independent of a sending order of the article images."

Maes and Shultz, alone or in combination, do not teach or suggest the above discussed features of claim 24 including "displaying the article images in accordance with said display positions assigned prior to the search request", where "articles having similar features are positioned in adjacent positions and said display positions are independent of a sending order of the article images", as recited in claim 24.

It is submitted that new claim 24 is patentably distinguishable over the Maes and Shultz.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 08/09/2006

By: Temnit Afework
Temnit Afework
Registration No. 58,202

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501